
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

CAPANA SWISS ADVISORS AG, a
Swiss corporation, et al.,

Plaintiffs,

v.

RYMARK, INC., a Utah corporation, et al.

Defendants.

MEMORANDUM DECISION AND
ORDER OVERRULING DEFENDANTS'
OBJECTION TO THE MAGISTRATE
JUDGE'S DECISION

Case No. 2:23-cv-00467

Judge Ted Stewart
Magistrate Judge Cecilia M. Romero

This matter comes before the Court on Defendants, Counterclaimants, and Third-Party Plaintiffs, Rymark Inc.'s and Nicholas Markosian's Objection to the Magistrate Judge's Granting of Motion to Seal.¹

Under 28 U.S.C. § 636(b)(1)(A) and Rule 72(a) of the Federal Rules of Civil Procedure, the Court reviews a magistrate judge's orders on nondispositive matters under a clearly erroneous or contrary to law standard. In reviewing a magistrate judge's nondispositive order, a district court must "modify or set aside any part of the order that is clearly erroneous or is contrary to law."² "The clearly erroneous standard . . . requires that the reviewing court affirm unless it 'on the entire evidence is left with the definite and firm conviction that a mistake has been committed.'"³

¹ Docket No. 164.

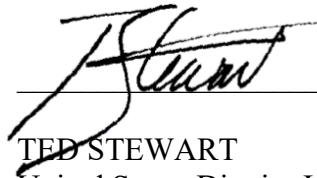
² Fed. R. Civ. P. 72(a).

³ *Ocelot Oil Corp. v. Sparrow Indus.*, 847 F.2d 1458, 1464 (10th Cir. 1988) (quoting *United States v. United States Gypsum Co.*, 333 U.S. 364, 395 (1948)).

The Court has carefully reviewed the Magistrate Judge's oral ruling, Defendants' Objection thereto, the underlying briefing, the relevant case law, and local rule. Having done so, the Court cannot conclude that the Magistrate Judge's ruling on the Motion to Seal was clearly erroneous or contrary to law. The Court will therefore overrule the Objection.

DATED February 3, 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "T. Stewart", is written over a horizontal line.

TED STEWART
United States District Judge